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INTELLECTUAL PROPERTY LAW

To: Patent &amp; Trademark Office

From: Molly L. Sauter

Technology Center 3700

Attn: Michael J. Hayes

Client: 1372.32

Fax: (703) 872-9302

Pages: 10 including coversheet

Phone: (703) 305-5873

Date: November 17, 2003

Re: USSN: 09/696,350

CC:

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**Practitioner's Docket No.: 1372.32****PATENTS****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Richard Heller et al.

Serial No.: 09/696,350

Filing Date: 10/24/2000

For: Electroporation Device

Examiner: Hayes, Michael J.

Art Unit: 3763

Confirmation No.: 2801

Faxed to Technology Center 3700 at (703) 872-9302  
Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

1. Transmitted herewith is a response for this application.

**STATUS**

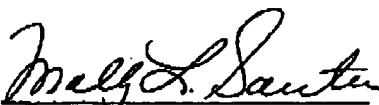
2. Applicant is an independent inventor. A statement was already filed.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

Very respectfully,

SMITH &amp; HOPEN

By:   
Molly L. Sauter  
15950 Bay Vista Drive, Suite 220  
Clearwater, FL 33760  
(727) 507-8558  
Attorneys for Applicant

Dated: November 17, 2003

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CERTIFICATE OF FACSIMILE TRANSMISSION  
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3763, Attn.: Michael J. Hayes, (703) 872-9302 on November 17, 2003.

Dated: November 17, 2003

Shelley Butz  
Shelley Butz

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Dear Sir:

In response to the Notice of Non-Compliant Amendment mailed on October 20, 2003, having a shortened statutory period for response set to expire November 20, 2003, the following amendment document is submitted containing only the "Amendment to the claims" section in accordance with 37 CFR 1.121.